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October 4, 2024

VIA ECF

The Honorable Lorna G. Schofield
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Mateer et al. v. Peloton Interactive, Inc.*, Case 1:22-cv-00740-LGS
Letter Motion Seeking Approval of Disbursement to New York Legal Aid Society

Dear Judge Schofield:

Together with my co-counsel, J.R. Howell, we represent the Plaintiffs in this action, who file this Letter Motion seeking approval of a distribution of \$152,190.53 in remaining Settlement funds to the New York City Legal Aid Society pursuant to the Parties' Class Settlement Agreement and Release. As detailed below, the Court should grant the Motion.

On March 29, 2024, Simpluris (the appointed Settlement Administrator) mailed settlement checks to 2,011 FLSA Opt-Ins and Settling Class Members via USPS.¹ Pavlik Declaration at ¶2 (attached hereto). All payments have been made for Attorney's Fees and Costs, Named Plaintiffs' Incentive Awards, and Settlement Administration Costs. *Id.* at ¶4. As of this date, 478 checks, totaling \$152,190.53, remain uncashed. *Id.* at ¶5. The check cashing period expired on July 27, 2024, which was 120 days from the issuance date on March 29, 2024. *Id.* at ¶6. The Parties' Class Settlement Agreement and Release requires that settlement checks which are not negotiated within 120 calendar days after the date they are mailed shall be void. *Id.* at ¶7. Pursuant to the Agreement, such monies and any other funds not disbursed or negotiated as part of the Settlement shall be paid to the New York City Legal Aid Society. *Id.*

Based on the Declaration of Project Manager Lisa Pavlik, and the finally approved Class Settlement Agreement and Release, Plaintiffs respectfully request that the Court approve a distribution of the remaining settlement funds in the amount of \$152,190.53 to the New York City Legal Aid Society. A draft Order is attached hereto. Such a distribution is consistent with the terms of the finally approved Class Settlement Agreement and Release and will allow the Settlement Administrator to close the books on the matter and Plaintiffs to dismiss the action with prejudice.

Respectfully submitted,

/s/ Jason R. Bristol

Jason R. Bristol

cc: All Counsel of Record via ECF

¹ For the Court's convenience, a breakdown of the total funds in the case is contained at ¶3 of the Pavlik Declaration.